

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT E. GUNTNER, No. C 11-06245 CW (PR)
Plaintiff, ORDER OF DISMISSAL WITHOUT
v. PREJUDICE
CTF MEDICAL DEPARTMENT, et al., (Docket no. 2)
Defendants.

On November 26, 2011, Plaintiff, a state prisoner, mailed to the Court the present pro se prisoner complaint under 42 U.S.C. § 1983. Included with the complaint was an incomplete application to proceed in forma pauperis. In the body of the complaint, Plaintiff informed the Court that he would be released from prison on November 27, 2011, and provided the Court with his post-release address. He further explained that he would pay the \$350.00 filing fee once the Court notified him that his complaint had been received.

The Clerk of the Court received and filed Plaintiff's complaint and in forma pauperis application on December 13, 2011. That same date, the Clerk sent a notice to Plaintiff, at the post-release address he had provided, informing him that his action could not go forward until he paid the filing fee or filed a completed in forma pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed.

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1 Thirty days have passed and Plaintiff has not paid the filing
2 fee, submitted a completed in forma pauperis application, or
3 otherwise communicated with the Court.

4 Accordingly, this action is DISMISSED WITHOUT PREJUDICE.
5 Plaintiff's in forma pauperis application is DENIED as incomplete.

6 The Clerk of the Court shall close the file.

7 This Order terminates Docket no. 2.

8 IT IS SO ORDERED.

9 Dated: 1/13/2012


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE